

**IT IS SO ORDERED.**



**Dated: 12:24 PM April 15 2013**

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION, AKRON**

In re:	:	<b>CASE NO. 12-52614</b>
	:	
<b>CHRISTOPHER RONALD GUENTHER:</b>	:	<b>CHAPTER 7</b>
	:	
<b>ERICKA ANN GUENTHER</b>	:	<b>BANKRUPTCY JUDGE:</b>
	:	<b>MARILYN SHEA-STONUM</b>
Debtors	:	

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**ORDER SUSTAINING TRUSTEE’S OBJECTION TO THE  
ALLOWANCE OF CLAIM NO. 9 FILED BY ATLAS ACQUISITIONS, LLC AND  
CLAIM NO. 25 FILED BY CAPITAL ONE BANK, N.A. C.O BASS AND ASSOCIATES,  
P.C. AS A UNSECURED CLAIM WITHOUT FURTHER SUPPORT**

**(Claim No. 9 and 25)**

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This matter came before the Court upon the Trustee’s Objection to Claim No. 9 filed by Atlas Acquisitions, LLC and Claim No. 25 filed by Capital One Bank, N.A. (the “Objection”) as unsecured claims. The Court, having reviewed the Trustee’s Objection and being duly advised, finds and concludes as follows:

The Court finds that all parties received Notice of the Trustee's Objection. The Court further finds that the Certificate of Service and the Notice on the Objection, was sent to Avi Schild, President Atlas Acquisitions, Capital One, N.A. c/o Bass & Associates, P.C. Capital One, N.A. c/o Courtney Ryan Bass & Associates, P.C. Atlas Acquisitions, LLC and other parties in interest. Such notice is adequate and sufficient under the particular circumstances and is in conformity with 11 U.S.C. §§ 102(1), 502, Fed. R. Bankr. P. 2002, 3007, 9007, 9013, and 9014 and other applicable law and rules of Court;

The Court further finds that the Court received no non-consenting responses to the Trustee's Objection. Upon the representations of the Trustee and the Court's record and files, it is accordingly **ORDERED, ADJUDGED AND DECREED** that the Trustee's Objection is hereby **GRANTED** that Claims No. 9 and 25, are determined to be **DISALLOWED** in their entirety.

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SUBMITTED BY:

/s/Robert S. Thomas, II  
**ROBERT S. THOMAS, II**  
Registration No. 0067702  
1653 Merriman Rd., Suite 203  
Akron, OH 44313  
330-253-5738  
[rstlaw@yahoo.com](mailto:rstlaw@yahoo.com)

#### **LIST OF PARTIES TO BE SERVED**

I certify that a copy of the Order Sustaining the Trustee's Objection to Claim No. 9 and 25 was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

United States Trustee, at (Registered address)@usdoj.gov.

Robert S. Thomas II, Chapter 7 Trustee, at [rsttrustee@yahoo.com](mailto:rsttrustee@yahoo.com), [oh68@ecfcbis.com](mailto:oh68@ecfcbis.com).

Elliott S. Barrat, Esq., on behalf of Christopher Ronald Guenther and Ericka Ann Guenther, Debtors, at [ebarrat@aol.com](mailto:ebarrat@aol.com).

And mailed to the following via regular U.S. mail and to all creditors and parties listed below:

Counsel for the Trustee represents to the Court that claimant was served at the following address (es) pursuant to Fed. R. Bankr. P. 2002(g)(2) {and Fed. R. Bankr. P. 7004(i) or 7004(j), if applicable}:

Avi Schild, President  
Atlas Acquisitions, LLC  
294 Union St.  
Hackensack, NJ 07601

Capital One, N.A.  
c/o Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712

Capital One, N.A.  
c/o Courtney Ryan  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712

Atlas Acquisitions, LLC  
294 Union Street  
Hackensack, NJ 07601